

From: Natalie Porter
Sent: Friday, November 21, 2014 4:55 PM
To: CEQA Guidelines
Subject: Fwd: Comments on proposed CEQA Guidelines update

El Dorado County Community Development Agency and Air Quality Management staff have the following comments on Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743.

Regarding Subdivision (a): Purpose, on page 7, states that, "...First, the subdivision clarifies that the primary consideration, in an environmental analysis, regarding transportation is the amount and distance that a project might cause people to drive."

- SB 743 requires a new metric for CEQA analysis that, in part, reduces greenhouse gasses. While VMT does measure the number of trips and the length of each trip, it does not take into account the travel speed of each trip. Since vehicles emit different levels of greenhouse gasses at different travel speeds, VMT by itself is not enough to quantify a reduction in greenhouse gasses. For example, a short trip in very congested conditions may result in more greenhouse gasses than a longer trip with very little congestion.
- Furthermore, while VMT is sometimes categorized by travel speed, most travel demand models do not take intersection delay into account when calculating the congested speeds. Greenhouse gas emissions increase when vehicles are stuck in traffic on congested roadways, but the proposed VMT metric does not take that factor into account.

Regarding Subdivision (b)(1): Vehicle Miles Traveled and Land Use Projects, on pages 8 and 9, indicates that, "... a project that results in vehicle miles traveled that is greater than the regional average might be considered to have a significant impact. Average in this case could be measured using an efficiency metric such as per capita, per employee, etc..." "Region" refers to the metropolitan planning organization or regional transportation plan area within which the project is located..."

- Will the local agencies be able to define regions within a jurisdiction? El Dorado County has significant rural areas that cannot be held to the same averages as a suburban/urban area. If we are required to use SACOG averages, that include downtown Sacramento, there is a potential for no project to meet the significance standard. Rural portions or even existing commuter areas cannot be held to downtown CBD type metrics for VMT.
- Unlike LOS, VMT cannot be measured, even for existing conditions. The calculations cannot be validated as correct. Additionally, VMT estimates can vary dramatically, based on the methodology that is chosen. It is not possible to determine which methodology is more accurate than the others, because VMT cannot be measured.
- There is no established methodology for calculating VMT. The draft guidelines state this was done intentionally to give more flexibility to lead agencies. While we appreciate the flexibility, SB 743 puts a financial burden on lead agencies. A significant amount of time and funding will be needed to establish the new methodology and thresholds.
- Historically, lead agencies have had the ability to determine and set a LOS threshold based on the values of the community. This has allowed some agencies to set LOS C as a threshold whereas other agencies allow LOS F in locations where mobility is not a high priority. By establishing the "regional average" as the threshold for transportation impacts, lead agencies no longer have that leeway.
- Local agencies should be allowed to define their significance criteria, and stating that, "A development project that is not exempt and that result in vehicle miles traveled greater than regional average for the land use type (e.g., residential, employment, commercial) may indicate a significant impact..." implies we do not have the opportunity to define a significance criteria that is appropriate for our jurisdiction. Please move this language and any other that could be construed as a hard criteria to one of the Appendices.

On page 12, second paragraph states, "Finally, the last sentence states that after January 1, 2016, the rules in this section will apply statewide."

- According to SB 743, the new metric must apply to transit priority areas and may apply outside those areas. Why not consider VMT in addition to LOS as CEQA metrics outside of transit priority areas?

- The preliminary discussion draft states the new guidelines will go into effect statewide on January 1, 2016. This is not enough time for lead agencies to develop methodology and establish thresholds that are legally defensible. Please consider moving out the statewide deadline or allow the guidelines to be optional outside of the transit priority areas. This should be left to the discretion of the local agencies.

On page 13, under Text of Proposed New Section 15064.3:

- For section (b)(1) Vehicle Miles Traveled and Land Use Projects. It is presumptuous to state that transportation impacts of a project can be best measured using vehicle miles traveled, especially given the statements on page 11, "OPR also recognizes that this section proposes a new way to evaluate transportation impacts..." OPR proposes a phased approach to implementation. Doing so will also allow OPR to continue studying the application of vehicle miles traveled in the environmental review process and to propose further changes to this section if necessary." We suggest removing "best" from this sentence.

On page 15, under Text of Proposed New Section 15064.3:

- For section (d) Applicability. The last sentence of this paragraph states "After January 1, 2016, the provision of this section shall apply statewide." As stated previously, we do not believe this provides adequate time for local jurisdictions to revamp their procedures to accommodate this shift of the transportation metrics.

On page 18, under Text of Proposed Amendments to Appendix F, "Energy Conservation"

- For section D. 6. Potential measures to reduce vehicle miles traveled include, but are not limited to: should ITS strategies be included in this list?

- Very few of the potential measures listed under D.6. or E are applicable to rural communities. Should there be a separate list for rural community potential measures or an expansion of the list to include at least a few that are applicable outside of urban/suburban areas?

Thank you for your consideration in these matters.

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